

ORDINANCE NO. 2020 – _____

**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE FOR
THE CITY OF JASPER, INDIANA AND ITS JURISDICTIONAL AREA**

(Amending Ordinance No. 2016-30 and amendments thereto)

WHEREAS, on the 22nd day of November, 2016, the Common Council of the City of Jasper (“Common Council”), passed and adopted Ordinance No. 2016-30, establishing the Unified Development Ordinance for the City of Jasper, Indiana and its jurisdictional area;

WHEREAS, the City of Jasper Advisory Plan Commission ("Commission"), after due publication and notice, held a public hearing to review and consider a proposal to amend the text of the Unified Development Ordinance No. 2016-30, more specifically portions of the following Chapters:

- 1) Portions of Chapter 16.04 regarding Districts;
- 2) Portions of Chapter 16.07 regarding Development Standards; and
- 3) Portions of Chapter 16.12 regarding Definitions.

WHEREAS, the Commission has certified to the Common Council of the City of Jasper (hereinafter “Common Council”) a favorable recommendation on said proposal;

WHEREAS, the Common Council has provided notice of its intention to consider said amendments to the text of the referenced portions of the Unified Development Ordinance; and

WHEREAS, the Common Council now finds it in the best interests of the City of Jasper to amend the Unified Development Ordinance as set out herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA, as follows:

SECTION 1. Ordinance Number 2016-30, Exhibit A, the same being Title 16 Unified Development Ordinance, a part of the Municipal Code of the City of Jasper, Indiana, shall be amended and shall include the amendments specifically included herein, below.

SECTION 2. Chapter 16.04 of the Jasper Municipal Code, also known as Chapter 4, “Districts,” shall be amended as follows:

- A.** In all sections where reference is made to a “Beauty Shop,” such reference shall be changed to “Beauty Salon”;
- B.** In all sections where reference is made to “Shooting range (outdoor),” such reference shall be changed to “Shooting/archery range (outdoor)”;
- C.** Section 4.2 Agricultural General (A1),
 - (1) Subsection B, “A1 Special Exception Uses,” shall be amended by **adding** the following language:
 - a. Shooting/archery range (outdoor)
 - b. Shooting/archery range (indoor)
- D.** Section 4.4 Rural Residential (RR),
 - (1) Subsection B, “RR Special Exception Uses,” shall be amended by **adding** “Transitional Housing”
- E.** Section 4.5 Low Density Residential (R1),
 - (1) Subsection B, “R1 Special Exception Uses,” shall be amended by **adding** “Transitional Housing”
- F.** Section 4.6 Single Family Residential (R2),
 - (1) Subsection B, “R2 Special Exception Uses,” shall be amended by **adding** “Transitional Housing”

- G. Section 4.7 Medium Density Residential (R3),**
 - a. Subsection B, “R3 Special Exception Uses,” shall be amended by **adding** “Transitional Housing”
- H. Section 4.8 Higher Density Residential (R4),**
 - (1) Subsection A, “R4 Permitted Uses,” shall be amended by **adding** “Body Art Salon”
 - (2) Subsection B, “R4 Special Exception Uses,” shall be amended by **adding** “Transitional Housing”
- I. Section 4.10 Neighborhood Business (B1)**
 - (1) Subsection A, “B1 Permitted Uses,” shall be amended by **adding** the following:
 - a. “Body Art Salon”
 - b. “Social Services Organization”
 - (2) Subsection B, “B1 Special Exception Uses,” shall be amended by **adding** “axe throwing”
- J. Section 4.11 Central Business (B2)**
 - (1) Subsection A, “B2 Permitted Uses,” shall be amended by **adding** the following:
 - a. “Body Art Salon”
 - b. “Social Services Organization”
 - c. “Axe throwing”
- K. Section 4.12 General Business (B3)**
 - (1) Subsection A, “B3 Permitted Uses,” shall be amended by **adding** the following:
 - a. “Body Art Salon”
 - b. “Social Services Organization”
 - c. “Axe throwing”
- L. Section 4.13 Light Industrial (I1),**
 - (1) Subsection A, “I1 Permitted Uses,” shall be amended by **adding** the following language:
 - a. “Shooting/archery range (outdoor)”
 - b. “Shooting/archery range (indoor)”
 - c. “Social Services Organization”
- M. Section 4.14 Heavy Industrial (I2),**
 - (1) Subsection B, “I2 Special Exception Uses,” shall be amended by **adding** the following language:
 - a. “Social Services Organization”

SECTION 3. Chapter 16.04.160, Use Matrix, also known as Table 4.2: Use Matrix for Principal Land Use shall be amended to reflect all amendments contained in Section 2 of this Ordinance, set out immediately above.

SECTION 4. Chapter 16.06.30 of the Jasper Municipal Code, also known as Chapter 6, Section 6.3 “Medical-related Office/Residential Overlay District,” of the Jasper Unified Development Ordinance, shall be amended by **adding** the following language to subsection D. “Permitted Uses and Special Exception Uses”:

- 1. Permitted
 - c. Office Uses:
 - 3) Professional Counseling and Social Service Offices

SECTION 5. Chapter 16.07.140 of the Jasper Municipal Code, also known as Chapter 7, Section 7.14 “Fence and Wall Standards,” of the Jasper Unified Development Ordinance, shall be amended by **changing** the existing language contained in subsection B., “General Standards,” item number 4, to the following:

- 4. Fences setback from Property Lines. In all zones except Agriculture (A1 and A2) all fences shall be setback from the property line by at least two (2) feet.

SECTION 6. Chapter 16.12 of the Jasper Municipal Code, also known as Chapter 12 “Definitions,” of the Jasper Unified Development Ordinance, shall be amended by **adding** the following language in the appropriate alphabetized location:

- A. “Body Art”** means to adorn the body through the permanent application of a tattoo or insertion of an object, such as jewelry, into a hole for display purposes. Body art is the collective term for any single activity or combination of activities defined herein as tattooing, body piercing or the application of permanent cosmetics. It shall not include activities such as, or similar to, cutting of the skin or subcutaneous tissue, cutting or modification of cartilage or bone, implantation, branding, deep tissue penetration, threading, stapling or any other invasive procedure, whether or not such act would constitute the practice of medicine requiring licensure as a physician.
- B. “Body Art Salon”** means any permanent commercial establishment where body art, including but not limited to body piercing, permanent cosmetics, or tattoos are applied on a regular basis for compensation.
- C. “Body Piercing”** means the creation of an opening in the human body for purpose of inserting jewelry or other decorations. This includes, but is not limited to, creating such an opening in the ear, lip, tongue, nose, eyebrow or navel for the purpose of inserting jewelry or other decorations.
- D. “Permanent Cosmetics”** mean the application of pigments to or under the human skin for the purpose of permanently changing the color or other appearance of the skin. “Permanent Cosmetics” shall include, but are not limited to, the application of permanent eyeliner, eye shadow or lip color. Nothing in this definition shall be deemed to restrict the activities of any licensed physician or surgeon.
- E. “Professional Office”** shall mean an office used by a member or members of a recognized profession, such as architects, artist, dentists, engineers, lawyers, musicians, counselors and social service providers, physicians, surgeons, pharmacists, real estate brokers, and insurance agents and brokers.
- F. Social Service Organization.** A public or quasi-public establishment providing social and/or rehabilitation services, serving persons with social or personal problems requiring special services, the handicapped, and the otherwise vulnerable or disadvantaged. Examples of this land use include: counseling centers, welfare offices, job counseling and training centers, or vocational rehabilitation agencies. Includes organizations soliciting funds to be used directly for these and related services, and establishments engaged in community improvement and neighborhood development. Does not include day care services, emergency shelters and transitional housing, or other residential care facilities.
- G. Transitional housing.** A supportive, yet temporary, type of accommodation that is meant to bridge the gap from homelessness or unsafe living environment to permanent housing by offering structure, supervision, support for conditions such as addictions and mental health, life skills, and in some cases, education and training.

SECTION 7. **Prior Ordinances.** All ordinances and/or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8. **Separability.** If any section, sub-section, sentence, clause, phrase or portion of this Ordinance shall for any reason be held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereunder.

SECTION 9. **Effective Date.** This Ordinance shall be in full force and effect from and after its passage by the Common Council, its approval by the Mayor, and completion of any other legal requirements, all in the manner as provided by law.

PASSED AND ADOPTED by the Common Council of the City of Jasper, Indiana, this _____ day of _____, 2021.

Dean Vonderheide, Presiding Officer

ATTEST:

Allen Seifert, Clerk Treasurer

Presented by me to the Mayor of the City of Jasper on this _____ day of _____, 2021, at the hour of _____:_____ o'clock a.m./p.m.

Allen Seifert, Clerk Treasurer

This Ordinance approved and signed by me as the Mayor of the City of Jasper, Indiana, this _____ day of _____ 2021, at the hour of _____:_____ o'clock a.m./p.m.

Dean Vonderheide, Mayor

ATTEST:

Allen Seifert, Clerk Treasurer